

The opinion in support of the decision being entered today was **not** written for publication and is **not** binding precedent of the Board.

Paper No. 37

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MASAHIKO NAKAMURA

Appeal No. 1998-0249
Application No. 08/534,100

ON BRIEF

Before ABRAMS, PATE and McQUADE, Administrative Patent Judges.
PATE, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection of claims 19, 3, 5-9 and 11-18. Claims 1, 2-4 and 10 have been cancelled. Thus, the appealed claims are the only claims remaining in the application.

The claimed invention is directed to a socket-type multipolar electrical connector. The connector is characterized by a first group of contacts at a relatively fine pitch and a second group of contacts at a relatively

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courser pitch. The invention can be further understood with
reference to the

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appealed claims appended to appellant's brief. The references of record relied upon by the examiner as evidence of obviousness are:

Martens 1986	4,582,386	Apr. 15,
Shibano 1991	5,013,262	May 7,
Sugiyama 1991	5,017,156	May 21,
Townsend 1991	5,055,069	Oct 8,
Kachlic 1992	5,171,161	Dec. 15,
Chau 2, 1993	5,190,480	Mar
Kato 1987 (United Kingdom)	2,186,748	Aug. 19,

Claims 19, 3, 5-9 and 11-18 stand rejected under 35 U.S.C. § 103 as unpatentable over Shibano in view of Martens, Kato, Townsend, Kachlic, Sugiyama and Chau. Only claim 19 is argued in the brief, therefore all claims will stand or fall with the independent claim 19.

OPINION

We have carefully reviewed the rejection on appeal in light of the arguments of the appellant and the examiner. As

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a result of this review we have reached the conclusion that the applied prior art does not establish a prima facie case of obviousness with respect to independent claim 19. Therefore the rejection of all claims on appeal is reversed. Our reasons follow.

We are in agreement with the examiner that Shibano discloses a socket type electrical connector with a body 10 made of insulating material, holes 12 in the body, contacts 14 to be fitted in the holes, the body being open at its rear side and bottom. Shibano differs from the claimed subject matter in that Shibano does not show contacts of relatively finer and relatively courser pitch, Shibano does not teach horizontal and vertical ribs or walls between the contacts of reducing length to form a stairstep or staggered configuration, and since Shibano does not show contacts of different pitches, Shibano does not recognize that the contacts for each pitch should be similar in size.

To supply the teachings of these various features the examiner has cited Martens, Chau and Kato. Turning first to Martens, and for example, referring to figure 3A, while the electrical connectors of group 41 are a different size than

those of group 42, in our view these connectors are or must be considered to be at the same pitch as the connectors of 42. Therefore, Marten cannot teach two groups of connectors at different pitches, the connectors of each group being of "similar size."

Likewise, Kato teaches connectors for sockets 18 and 20 with connectors 20 being at a different pitch. However, the connectors 20 are not of similar size with respect to the connectors 18. In fact, Kato makes a specific point that the two terminal types 22 and 24 are different in shape and size.

Finally, with respect to Chau, we agree that contact 49 is isolated from contact 48, although the single contact 48 does not define a pitch. However, the multiple contacts 56 do form a separate pitch from the contacts in contact slot 49. However, in our view it would not have been obvious to apply this teaching from Chau to the contacts in Shibano. In our view it is only by impermissible hindsight that the teaching of Chau can be applied to Shibano. The examiner can point to no suggestion, express or implied, in either the Shibano or Chau references that would have suggested the adaptability of the connectors in Chau to pin connectors to be inserted into

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two groups of holes as in the Shibano disclosure. We have considered the other references in the examiner's rejection and find that they do not ameliorate the shortcomings we have discussed with respect to Shibano, Kato, Martens and Chau.

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Accordingly, the rejection of claim 19 and all claims
dependent thereon is reversed.

REVERSED

NEAL E. ABRAMS)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
WILLIAM F. PATE, III)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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JOHN P. McQUADE)	
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